

**95.440 Police and fire department members -- Qualifications -- Examination -- Tenure -- Reinstatement.**

- (1) The legislative body in cities of the second and third classes and urban-county governments shall require all applicants for appointments as members of the police or fire departments to be examined as to their qualifications for office, including their knowledge of the English language and the law and rules governing the duties of the position applied for.
- (2) Each member of the police or fire department in cities of the second and third classes and urban-county governments shall be able to read, write and understand the English language, and have such other qualifications as may be prescribed. No person shall be appointed a member of the police or fire department unless he is a person of sobriety and integrity and is and has been an orderly, law-abiding citizen. In a city of the second class or urban-county government no person shall be appointed a member of either of such departments if he is over fifty (50) years of age.
- (3) Members of the police and fire departments in cities of the second and third classes or urban-county governments qualified under this section shall hold their positions during good behavior, except that the legislative body may decrease the number of policemen or firefighters as it may deem proper.
- (4) If the legislative body of a city of the second or third class or urban-county government decreases the number of policemen or firefighters, the youngest members in point of service shall be the first to be released and returned to the eligible list of the department, there to advance according to the rules of the department.
- (5) The legislative body in an urban-county government may by ordinance provide that any person who has successfully completed his probationary period and subsequently ceased working for the police or fire department for reasons other than dismissal may be restored to the position, rank and pay he formerly held or to an equivalent or lower position, rank or pay than that which he formerly held if he so requests in writing to the appointing authority. Such person shall be eligible for reinstatement for a period of one (1) year following his separation from the police or fire department and shall be reinstated only with the approval of the appointing authority.

**Effective:** July 19, 1985

**History:** Amended 1985 (1st Extra. Sess.) Ky. Acts ch. 4, sec. 1, effective July 19, 1985. -- Amended 1980 Ky. Acts ch. 171, sec. 1, effective July 15, 1980. -- Amended 1978 Ky. Acts ch. 164, sec. 22, effective June 17, 1978; and ch. 177, sec. 2, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 248, sec. 5; and ch. 386, sec. 21. -- Amended 1966 Ky. Acts ch. 9, sec. 1; and ch. 168, sec. 1. -- Amended 1956 Ky. Acts ch. 246, sec. 13. -- Amended 1948 Ky. Acts ch. 83, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 3138-1, 3138-3, 3141, 3235dd-35, 3351a-2.